

REMARKS

The Examiner provides a number of rejections and we list them here in the order in which they are addressed:

- I. Claims 30, 7, 8, 10, 11, 29, 31-34, and 36 Are Rejected Under 35 USC § 102(b) by Handique et al., *United States Patent Appln Publ No.* 2002/0143437.
- II. Claim 9 is rejected under 35 USC § 103(a) as being unpatentable over Handique et al. *United States Patent Appln Publ No.* 2002/0143437.

I. The Claims Are Not Anticipated By Handique et al.

As the Examiner is well aware, a single reference must disclose each limitation of a claim in order for that reference to anticipate the claim. *Atlas Powder Co. v. E.I. du Pont De Nemours & Co.*, 224 U.S.P.Q. 409, 411 (Fed. Cir. 1984). This criterion is not met with the Handique et al. reference.

The Examiner states that independent Claim 31 is rejected as anticipated by Handique et al. *Office Action pg 3*. The Applicants disagree. Nonetheless, without acquiescing to the Examiner's argument but to further the prosecution, and hereby expressly reserving the right to prosecute the original (or similar) claims, Applicants have amended Claim 31 to recite a step originally presented in Claim 35.¹ Specifically, the step comprises "firing a first heater to load a meltable material" which is not taught and/or suggested in Handique et al. Claim 35 is concomitantly canceled and the dependency of Claim 29 is appropriately amended to recite Claim 31. Further, the Applicants have voluntarily canceled Claim 30. These amendments are made not to acquiesce to the Examiner's argument but only to further the Applicants' business interests, better define one embodiment and expedite the prosecution of this application.

The Applicants believe that Claim 31 and all dependent claims are now allowable. The Applicants respectfully request that the Examiner withdraw the present rejection.

¹ The Examiner has suggested that this subject matter is allowable.

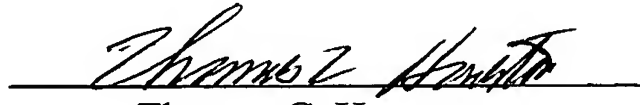
II. Claim 9 Is Not *Prima Facie* Obvious Over Handique et al.

The Examiner cites United States Patent Appln Publ No. 2002/0143437 to Handique et al. as a single reference in support of an obviousness rejection to Claim 9. *Office Action* pg 4. The Applicants disagree and believe that the now allowable Claim 31 (see above) renders this rejection moot because all elements and limitations of an independent claim are imputed into a dependent claim. The Applicants respectfully request the Examiner to withdraw the present rejection.

CONCLUSION

The Applicants believe that the arguments and claim amendments set forth above traverse the Examiner's rejections and, therefore, request that all grounds for rejection be withdrawn for the reasons set above. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, the Applicants encourage the Examiner to call the undersigned collect at 617.984.0616.

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